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By: Tam Harris  
(person actually depositing)

Patent Application of: Nichols

Serial No. 09/868,682

Title: A System, Method and Article of Manufacture for a Goal Based System  
Utilizing an Activity Table

- ☒ Response to Notification of Missing Requirements Under 35 USC 371
- ☒ Copy of Combined Declaration and Power of Attorney filed in  
U.S: Application 09/218,968, signed by Mark S. Nichols on 12-16-98
- ☒ Copy of Notification of Missing Requirements of 7-25-2001
- ☒ Transmittal Form (in duplicate)
- ☒ Certificate of Express Mailing
- ☒ Return Postcard

Attorney Docket No. 05222.00159

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
(Attorney Docket No. 05222.00159)

In the Application of:

Nichols.

Serial No.: 09/868,682

Filed: February 8, 1999

For: A System, Method and Article of Manufacture for  
a Goal Based System Utilizing an Activity Table

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)  
)  
) Examiner:  
) Deborah D. Williams  
)  
) Attn: DO/EO/US  
)  
)  
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**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 USC 371**

BOX PCT  
Assistant Commissioner For Patents  
Washington, D.C. 20231

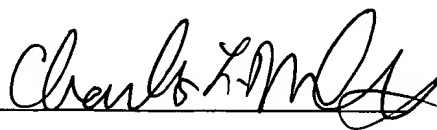
Sir:

This is in response to the Notification of Missing Requirements Under 35 USC 271 mailed on July 25, 2001. In order to complete the filing requirements, Applicants enclose herewith copies of the Oath and Declarations executed in U.S. Patent Application No. 09/218,968, in pursuance with the provisions of MPEP 602.05(a). U.S. Patent Application No. 09/218,968 is the parent application and contains the same inventive entity. Also enclosed is a copy of said Notification of Missing Requirements.

The Commissioner is authorized to charge all fees required to Deposit Account No. 01-0850.

Respectfully submitted,  
BANNER & WITCOFF, LTD.

Date: September 4, 2001

By:   
Charles L. Miller  
Reg. No. 43,805

Please type, a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

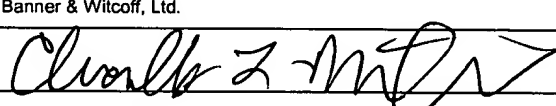
Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	<b>Applicati n Number</b>	09/868,682	
	<b>Filing Date</b>	08 February 1999	
	<b>First Named Invent r</b>	Nichols	
	<b>Group Art Unit</b>		
	<b>Examiner Name</b>		
<b>Total Number of Pages in This Submission</b>	8	<b>Attorney Docket Number</b>	05222.00159

<b>ENCLOSURES (check all that apply)</b>		
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  <b>Response to Notification of Missing Requirement under 35USC371</b> <b>Copy of Combined Declaration and Power of Attorney filed in US Application No. 09/218,968</b>
<b>Remarks</b>		<b>The Commissioner is authorized to charge all fees required to Deposit Account No. 01-0850.</b>

<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>	
<b>Firm or Individual name</b>	Charles L. Miller (Reg. No. 43,805) Banner & Witcoff, Ltd.
<b>Signature</b>	
<b>Date</b>	September 4, 2001

<b>CERTIFICATE OF MAILING</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service, via Express Mail, in an envelope addressed to: BOX PCT - Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:	
<div style="border: 1px solid black; padding: 5px; display: inline-block;">September 4, 2001</div>	

<b>Typed or printed name</b>			
<b>Signature</b>		<b>Date</b>	September 4, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
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Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/868682	NICHOLS	05222-00159

CHARLES L MILLER  
BANNER & WITCOFF  
TEN S WACKER DRIVE SUITE 3000  
CHICAGO, IL 60606 7407

INTERNATIONAL APPLICATION NO.
PCT/US99/02716

I.A. FILING DATE	PRIORITY DATE
08 FEB 99	22 DEC 98

DATE MAILED:

25 JUL 2001

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> U.S. Basic National Fee.   | <input type="checkbox"/> Indication of Small Entity Status.                                    |
| <input checked="" type="checkbox"/> Copy of the international application.   | <input checked="" type="checkbox"/> Translation of the international application into English. |
| <input type="checkbox"/> Oath or Declaration of inventors(s).  | <input type="checkbox"/> Translation of Article 19 amendments into English.                    |
| <input type="checkbox"/> Copy of Article 19 amendments.  | <input type="checkbox"/> Other:  |
| <input checked="" type="checkbox"/> Priority Document.   |  |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. |  |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English.        |  |

05222-00159  
DOCKET

JUL 30 2001

BANNER &amp; WITCOFF, LTD.

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- |   |   |
|---|---|
| <input type="checkbox"/> U.S. Basic National Fee. | <input type="checkbox"/> Copy of the international application. |
|---|---|

Resp Due 25 SE 2001

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- |  |
|--|
| <input type="checkbox"/> a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.   |
| <input type="checkbox"/> The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.   |
| <input type="checkbox"/> b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).  |
| <input checked="" type="checkbox"/> c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date. |
| <input type="checkbox"/> The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.   |
| <input checked="" type="checkbox"/> d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).  |

4. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

- |  |  |
|--|--|
| Enclosed: <input type="checkbox"/> PCT/DO/EO/917 | <input type="checkbox"/> Notice of Defective Translation |
| <input type="checkbox"/> PTO-875                 | <input type="checkbox"/> PCT/DO/EO/920                   |

Deborah D. Williams

FORM PCT/DO/EO/905 (March 2001)

Telephone: 703-305-3744